



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health DIVISION OF SHELLFISH SANITATION

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 007-028, YEOCOMICO RIVER

EFFECTIVE 10 NOVEMBER 2008

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §2.2-4002, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 007-028, Yeocomico River," effective 4 October 2007, is cancelled effective 10 November 2008.
2. Condemned Shellfish Area Number 007-028, shown as Sections A through I, is established effective 10 November 2008. As to Sections A through H, it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. As to Section I, it shall be unlawful for any person, firm, or corporation to take shellfish from this area for any purpose. The boundaries of these sections are shown on the map titled "Yeocomico River, Condemned Shellfish Area Number 007-028, 10 November 2008" which is part of this notice.
3. Seasonally Condemned Shellfish Area Number 007-028 shown at Sections M1, M2, M3 and M4 is hereby established effective 10 November 2008, and shall remain in force annually thereafter for the period beginning the first day of April through the last day of October until rescinded. It shall be unlawful for any person, firm or corporation to take shellfish from these areas during such period for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the *Code of Virginia*. The boundaries of these sections are shown on the map titled "Yeocomico River, Condemned Shellfish Area Number 007-028, 10 November 2008" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 007-028

- A. The condemned area shall include that portion of Northwest Yeocomico River (Shannon Branch) and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (38°03'17.4", -76°33'20.6") and map coordinate (38°03'18.2", -76°33'15.8").



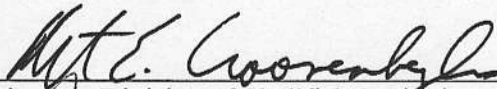
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www.vdh.virginia.gov/shellfish

- B. The condemned area shall include that portion of White Point Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (38°02'39.1", -76°33'48.8") and map coordinate (38°02'41.8", -76°33'45.0").
- C. The condemned area shall include that portion of West Yeocomico River and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (38°01'42.9", -76°33'42.8") and map coordinate (38°01'34.5", -76°33'39.3").
- D. The condemned area shall include that portion of Mill Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (38°00'25.5", -76°33'22.4") and map coordinate (38°00'23.7", -76°33'14.5").
- E. The condemned area shall include that portion of Lodge Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (38°00'18.4", -76°32'45.6") and map coordinate (38°00'06.1", -76°32'29.7"); but excluding the area described in Section I.
- F. The condemned area shall include that portion of Drum Cove and its tributaries lying inland of a line drawn between latitude / longitude map coordinate (38°00'45.3", -76°32'58.6") and map coordinate (38°00'40.4", -76°32'59.6").
- G. The condemned area shall include that portion of Dungan Cove and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (38°00'12.5", -76°32'03.5") and map coordinate (38°00'07.8", -76°31'56.5").
- H. The condemned area shall include that portion of White Point Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (38°02'35.9", -76°33'30.8"), map coordinate (38°02'33.9", -76°33'23.7") and map coordinate (38°02'32.1", -76°33'24.7").
- I. The condemned area shall include that portion of Lodge Creek and its tributaries lying upstream of a line drawn between latitude / longitude map coordinate (37°59'01.8", -76°32'27.7") and map coordinate (37°59'01.9", -76°32'23.6").
- M1. The seasonally condemned area shall include that portion of Northwest Yeocomico River (Shannon Branch) lying inland of a line drawn from latitude / longitude map coordinate (38°02'49.7", -76°33'06.5"), map coordinate (38°02'46.6", -76°33'09.8"), and map coordinate (38°02'27.2", -76°32'50.0").
- M2. The seasonally condemned area shall include that portion of Northwest Yeocomico River (Shannon Branch) and White Point Creek, lying inland of a line drawn from latitude / longitude map coordinate (38°02'32.1", -76°33'24.7"), map coordinate (38°02'33.9", -76°33'23.7") and map coordinate (38°02'28.1", -76°33'02.9").

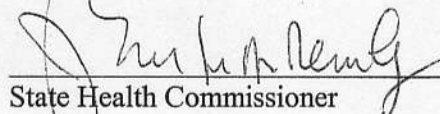
- M3. The seasonally condemned area shall include that portion of South Yeocomico River lying inland of a line drawn from latitude / longitude map coordinate (38°00'31.6", -76°32'37.7"), map coordinate (38°00'30.7", -76°32'19.7"), map coordinate (38°00'15.4", -76°32'25.9"), and map coordinate (38°00'18.4", -76°32'45.6").
- M4. The condemned area shall include that portion of West Yeocomico River lying inland of a line drawn from latitude / longitude map coordinate (38°01'45.2", -76°32'58.4") to map coordinate (38°01'44.6", -76°33'25.9").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner

10/27/06

Date

**Virginia Department of Health
Yeocomico River
Condemned Shellfish Area
Number 007-028
10 November 2008**

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